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Ontario. Legislative  
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Standing Cttee. on  
Administration of Justice.

Debates

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# Official Report of Debates (Hansard)

Monday 3 December 1990

# Journal des débats (Hansard)

Le lundi 3 Décembre 1990

## Standing committee on administration of justice

Organization

## Comité permanent de l'administration de la justice

Organisation



Chair: Drummond White  
Clerk: Lisa Freedman

Président : Drummond White  
Greffier : Lisa Freedman

Published by the Legislative Assembly of Ontario  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Monday 3 December 1990

The committee met at 1537 in room 228.

### ORGANIZATION

**Clerk of the Committee:** Honourable members, it is my duty to call upon you to elect a Chair. Are there any nominations?

**Mr Morrow:** I would like to nominate Drummond White.

**Clerk of the Committee:** Are there any further nominations? I declare the nominations closed and Drummond White elected as Chair.

**The Chair:** May I have the names for election as Vice-Chair, anyone who stands to be nominated for Vice-Chair?

**Mr Mills:** I would nominate my colleague Mark Morrow as the Vice-Chair.

**The Chair:** Any further nominations? Hearing none, Mark Morrow is declared elected as Vice-Chair.

I think the first order of business is the subcommittee. We need to have a subcommittee on committee business that will be appointed to meet from time to time at the call of the Chair or at the request of any member thereof to consider a report to the committee on the business of the committee; that substitution be permitted on the subcommittee; and that the presence of all members of the subcommittee is necessary to constitute a meeting; and that the subcommittee be composed of the following members—

**Mr Carr:** I will move that the members be Mr White, Mr Morrow, Mr Harnick and Mr Sorbara.

**The Chair:** All in favour of the motion?

Motion agreed to.

**The Chair:** Any further business at this time?

**Mr Harnick:** Yes, I have some other business, if I may provide you with a copy.

**The Chair:** Mr Harnick, would you like to speak on the motion?

**Mr Harnick:** Yes, Mr Chairman. I have provided you with a document requesting, pursuant to standing order 123, allocation of 12 hours' time for my party in the calendar year 1990 to study the matter of victims' rights. I would like to amend the document that I filed with you by taking out in the fifth line the word "approved" and replacing it with the words "received second reading," and I would request the allocation of that 12 hours' time for the year 1990. If you would like me to read it, I can read it.

The other thing I would ask is that we have a subcommittee meeting tomorrow that we can discuss the mechanism for the 12 hours' use of time.

**The Chair:** Let's deal with the business first before we talk about the timing of the subcommittee meeting,

please. Could we have a reading of this before we have a discussion of the timing?

**Mr Harnick:** Yes, it is to the Chair and the clerk of the standing committee on administration of justice:

"For the purposes of standing order 123, I request that the subcommittee on committee business meet to consider a report to the committee on the following matter to be designated for consideration by the committee:

"The current status of and improvement upon the relationship between victims of crime in the province of Ontario and the justice system in that province, with particular consideration of the issue of a victims' bill of rights as suggested by Bill 220, introduced by the member for Burlington South during the second session of the 34th Parliament and received second reading by the members of this House 5 April 1990; including the operations of the Criminal Injuries Compensation Board. To be considered for a period of 12 hours."

**Mr Winninger:** Are nominations for the subcommittee closed yet?

**The Chair:** Yes.

**Mr F. Wilson:** To the motion—

**The Chair:** It is not a motion; it is a referral.

**Mr F. Wilson:** Referral, I am sorry. As worthy an agreement you will get on the fact of the value of what you are saying, I am just wondering how much time in hours we have left between now and the end of the year of the committee.

**Clerk of the Committee:** This committee meets on Mondays and Tuesdays after routine proceedings between 3:30 and 6 o'clock; so there would be tomorrow, next Monday and Tuesday and, I believe, the Monday and Tuesday following. This committee can always, if it so chooses, request extra sitting time from the House leaders. This committee can meet up to and including 18 December.

**Mr Sorbara:** Why do they not all get—because the House is not sitting?

**Clerk of the Committee:** Because this committee meets only on Monday and Tuesday, and that is the last week the House is sitting for this session.

**The Chair:** The request was for 12 hours in 1990 as well.

**Mr Harnick:** No, it was not a request for 12 hours in 1990. It was my request for the allocation of 1990's 12 hours. I do not take the position that it has to be in 1990, because obviously we are not going to make it, but the rules do entitle us to 12 hours designated. It does not specifically indicate that it has to be in that year, but I submit it would be for that year.



**The Chair:** Okay. So is it your request at this moment that that time be allocated as soon as possible?

**Mr Harnick:** January is fine. January or in the new year.

**Mr Sorbara:** This is my debut as a member of a committee of the Legislature and I confess I have not studied the standing orders nor, in particular, have I studied the standing order that my friend Mr Harnick is speaking to in making a suggestion that we use, as he says, 1990's 12 hours some time in January or February.

Before I make a decision on how I feel about it, I want to have some counsel from those who know better than I whether or not one can, in 1990, simply say that we are going to do those 12 hours some time in 1991. Frankly, if that is the case, it seems to me that we could decide today how we will use 1992's time and 1993's time and 1991's time and when we will do that. I am wondering out loud whether or not that is an appropriate allocation.

**The Chair:** Are you requesting time to seek counsel on this issue prior to the subcommittee report?

**Mr Sorbara:** There may be some experts here at the table, the clerk or research officer, who might advise us on that, or we may just take the matter up at the subcommittee level before we decide on it. I just question the member's suggestion that 12 hours allocated to 1990 can be used in 1991. I do not know.

**Clerk of the Committee:** On a cursory reading of the standing orders, it would appear that as long as a member designates in 1990, there is no requirement that the 12 hours actually be heard in 1990, but we will check into that and give definitive information at the subcommittee meeting later today or tomorrow.

**Mr Harnick:** The wording appears quite clear: "in any calendar year." It says, "each member...shall be entitled to designate matters to be considered" and "the time for consideration of each matter, provided that not more than a total of 12 hours may be devoted...." So it is the designation, I submit, that has to be in 1990, and hence the designation today.

**Mr Winner:** I have a written request pursuant to standing order 123(a)(ii) that the subcommittee, on committee business, meet to consider a report to the committee on the following matter to be designated: the mandate, administration and procedures of the support and custody enforcement branch—

**The Chair:** You are making a referral to the subcommittee.

**Mr Winner:** Yes.

**Mr Harnick:** I do not wish to interrupt, but I did not realize we were finished with the first item. The balance of what I wished to ask for was that we arrange a subcommittee meeting for tomorrow so that we can consider the mechanism for proceeding with the motion that I have filed.

**The Chair:** I appreciate your request, but there was also Mr Sorbara's request in terms of consultation.

**Mr Harnick:** Yes.

**The Chair:** The issue of when we strike the subcommittee meeting is to some degree in contention.

**Mr Harnick:** I would be content to have the subcommittee meet today after we finish this meeting.

**The Chair:** That seems like an excellent idea because our agenda here should be fairly short. It should be.

**Mr Harnick:** We are almost 90% finished now. I understand that other committees are proceeding on this same basis.

**The Chair:** Indeed. Is there any further discussion on Mr Harnick's motion?

**Mr F. Wilson:** On a point of clarification: I have read this twice now. Does this mean that for 1990 we have only 12 hours for all subjects in this type of referral, or do we have a 12-hour maximum for any subject?

**Clerk of the Committee:** The way the rule is intended, each party can designate up to 12 hours to study a subject.

**Mr Harnick:** For 1990.

**Mr F. Wilson:** When those 12 hours are gone, is that it? If the one matter takes up the whole 12 hours, there is no room for anything else?

**Clerk of the Committee:** Each. There are 36 hours altogether, 12 hours per party.

**Mr Morrow:** Are we now finished with that?

**The Chair:** Yes. Can we vote on it?

**Clerk of the Committee:** No.

**Mr Morrow:** It is going to the subcommittee.

**The Chair:** It is referred. Thank you.

**Mr Morrow:** Can I now raise another matter?

For the purpose of standing order 123, I request that the subcommittee on committee business meet to consider a report to the committee on the following matter to be designated for consideration by the committee: the immediate administration and procedures of the support and custody enforcement branch, 12 hours.

**The Chair:** Is there any discussion on that particular request?

**Mr Sorbara:** Did I not just hear that?

**Mr Morrow:** We did, but I am not a member of the subcommittee.

**Mr Mills:** It was a procedural error.

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**The Chair:** Any discussion? It is referred. Mr Sorbara, would you wish to postpone the meeting of the subcommittee?

**Mr Sorbara:** I do not have anything to refer to the subcommittee for the purposes of the next 12 hours of this committee's life in 1990.

**The Chair:** Would you prefer, however, the issue we had been discussing, was the timing of—

**Mr Sorbara:** No, I will not have any problem with the matters being referred to the subcommittee, none at all.



**The Chair:** Okay. So you have no problems with the subcommittee being struck and meeting immediately after this meeting.

**Mr Sorbara:** No problem with the subcommittee being struck. My major problem is whether I am going to get through the rainstorm this evening on my way home.

**The Chair:** Indeed.

**Mr Sorbara:** Other than that, I do not have any problems with what is going on now.

**Mr Fletcher:** Just on a point of clarification on what Mr Sorbara said about finding out what this committee is going to be doing and the time allocation: When is that coming back to committee so that we can find out?

**The Chair:** What I am proposing, with Mr Sorbara's acceptance, is that the subcommittee meet immediately after this committee has adjourned. It would investigate the business before us and report back and call a meeting probably tomorrow.

**Mr Fletcher:** Of the subcommittee. At that time will Mr Sorbara's party have a chance to designate its 12 hours and what they are for?

**The Chair:** He says he has no interest at the moment in doing so, but he is on the subcommittee, so he could do so at some later point.

**Mr Fletcher:** Okay, thank you.

**The Chair:** Lisa informs me that we would have to have a meeting of the full committee tomorrow after the subcommittee has met, very simply because of the time between now and the end of the calendar year.

**Mr Sorbara:** Just to inform you, Mr Chairman, and the other members of the committee, I am perfectly willing to have the subcommittee meet this afternoon, but I want to make it perfectly clear here that I am not prepared for the subcommittee to make any decisions on what matters will occupy our time, so to speak, until I have consulted with my colleagues on the committee and other members of my caucus to determine what it is, if anything, we propose the committee take up its 12 hours' worth with; that is to say, what work we shall have expand to fill the time available for its completion.

**The Chair:** You have heard the referrals under standing order 123. How much time would you need before we meet?

**Mr Sorbara:** I guess I will just refer my question through you to the clerk to determine whether or not a matter under the 12-hour rule can be put directly to the subcommittee, or does it need to come to this committee in order to be referred to the subcommittee.

**Clerk of the Committee:** The way standing order 123 works is that it is the right of a member of the subcommittee from each party to designate what it wants studied there.

**Mr Sorbara:** I am sorry, it is a matter of what?

**Clerk of the Committee:** It is a right of each member of the subcommittee to designate 12 hours. They have certain rights that are just designated and certain things that have to be voted on by the entire subcommittee. The sub-

committee then reports back to the full committee, and that report is deemed adopted. The full committee does not vote on that.

The problem we are running into now is that the full committee cannot receive that report during the last eight sessional days of the session, which means that it only has until Thursday of this week to receive that full report. The only day other than today that this committee is allowed to meet is tomorrow. So if this committee does not make all those decisions by tomorrow—I will leave that open.

**Mr Sorbara:** Correct me if I am wrong, but does that mean that the subcommittee could meet tomorrow and consider the various matters which have been referred to it under standing order 123 and then report back to the committee tomorrow?

**The Chair:** I believe that is the case. We would have to meet tomorrow morning, and the question I had put to you earlier was, is that sufficient time for you to consult?

**Mr Sorbara:** It would not really have to meet tomorrow morning. The subcommittee could meet for about 35 seconds at about 35 seconds after 3:30 and then the full committee could meet, could it not?

**The Chair:** Certainly.

**Mr Sorbara:** Are there other matters to be taken up?

**The Chair:** But the issue I had with you was, is that sufficient time for you to get the consultation you want?

**Mr Sorbara:** Sure, yes.

**Clerk of the Committee:** Can I just point one more thing out with respect to standing order 123? The report that has to come from the subcommittee to the committee must contain a precise statement of the matter to be considered, the time to be allocated, the date on which consideration of the matter is to commence and the names of any witnesses to be invited to appear. All of that has to be worked out before tomorrow morning on both issues.

**Mr Sorbara:** We have had motions directing matters to the subcommittee or motions under standing order 123. Are they formally correct then, under the rules you have just suggested? It sounds to me like no. They have not referred to a date, they have not referred to witnesses.

**Clerk of the Committee:** They are formally correct. That additional business is to be worked out in subcommittee.

**Mr Sorbara:** So a report back has to be—we would need that information.

**Clerk of the Committee:** Correct.

**Mr Sorbara:** There are 24 hours before tomorrow. Surely we could do that.

**The Chair:** Even in this weather?

**Mr Fletcher:** I was just wondering, Mr Chair, if the Liberal Party has nothing to discuss, can we use its 12 hours also?

**The Chair:** No, I do not believe so.

**Mr Sorbara:** I think we have a lot to discuss. I think we could discuss integrity in government, the comparison of election promises to the performance of governments after.



**The Chair:** With all due respect, Mr Sorbara, I do not think this issue is specific to this committee.

**Mr Sorbara:** Just a second, Mr Chairman, I have the floor. We could talk about the expenditure of North York's money for campaign purposes. There are a whole lot of things we should discuss and if my friends from the New Democratic Party think that, in the administration of justice, there is not a lot to discuss, they are absolutely wrong. We could discuss how you get into your party and how you get out of your party and how you sit as an independent. There is lots to discuss in the administration of justice, my heavens, but maybe we will give them half an hour.

**The Chair:** Thank you, Mr Sorbara. Under other business, if I could—I believe we are all new. Mr Chiarelli has been the Chair before and has done an excellent job; certainly the report on the alternative dispute resolution was excellent work. But the rest of us are new to this committee. I have had the opportunity of speaking with Lisa Freedman here, our clerk, who will be our chief procedural officer, as we have seen this afternoon and, of course, will be available to all members to give advice where needed and will be available to sit down with all members to discuss the committee's procedure and issues in front of it. She is responsible for all administrative aspects of the committee, including, I believe, expenses. Our researcher, Susan Swift, who, like Lisa, is a lawyer, will be providing research services with regard to the issues in front of the committee. On your agenda we have a list, which is far too long for me to briefly summarize, of

these various services Susan will be co-ordinating and offering.

We will, as we know, be meeting tomorrow afternoon and regularly Mondays and Tuesdays. Is there any further business to come before us?

**Mr Harnick:** When is the subcommittee meeting?

**The Chair:** What an excellent question. Mr Sorbara has suggested immediately before we meet tomorrow afternoon. I would suggest the late morning might be better in case there are problems with that. What is the consensus?

**Mr Mills:** Why do we not meet at 3:15?

**The Chair:** I am just concerned that that might be insufficient time. We are talking of the subcommittee meeting here: Mr Sorbara, Mr Harnick, Mr Morrow and myself.

**Mr Mills:** Whatever you think. Originally you suggested the afternoon.

**The Chair:** Perhaps what I could suggest would be that the four members of the subcommittee meet immediately after this, simply to come up with a time. Would that be sufficient?

**Mr Harnick:** Or we could meet tomorrow at noon.

**The Chair:** How about immediately after this meeting? It is agreeable to the four of us. Are there any other motions or issues before the committee? If not, I declare that we are adjourned until tomorrow at 3:30. Thank you.

The committee adjourned at 1601.



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Carr, Gary (Oakville South PC)  
Chiarelli, Robert (Ottawa West L)  
Fletcher, Derek (Guelph NDP)  
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**Clerk:** Freedman, Lisa

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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Tuesday 4 December 1990

The committee met at 1540 in room 228.

### ORGANIZATION

**The Chair:** First, one of the main reasons for us meeting this afternoon is to receive the subcommittee report, which I am compelled to read in its entirety.

The subcommittee met at noon "pursuant to standing order 123 to consider a report to the committee on the following matter designated by Mr Harnick for consideration by the committee:

"The current status of and improvement upon the relationship between victims of crime in the province of Ontario and the justice system in that province, with particular consideration of the issue of a victims bill of rights, including the operations of the Criminal Injuries Compensation Board.

"This issue is to be considered for a period of 12 hours.

"The following list of witnesses is to be invited by the clerk of the committee to appear before it at public hearings:

"Irwin Waller, professor of criminology, University of Ottawa; representative, Victims of Violence National Inc; representative, Ontario Coalition of Rape Crisis Centres; representative, Barbra Schlifer Commemorative Clinic; representative, Metro Action Committee on Public Violence Against Women and Children; representative, Ontario Association of Interval and Transition Houses; representative, Ministry of the Attorney General, Criminal Injuries Compensation Board; representative, Ministry of the Attorney General, victim-witness assistance program; representative, Ministry of Correctional Services, victim-offender reconciliation program; representative, Ministry of Correctional Services, restitution program; representative, Ministry of the Solicitor General, victim crisis assistance program; representative, Criminal Lawyers Association; representative, Canadian Bar Association, Ontario; representative, Advocates Society; representative, Municipality of Metropolitan Toronto Police Force; representative, Ontario Provincial Police; and other witnesses to be determined by the subcommittee.

"The hearings are to commence during the break period between the new year and the spring sitting of the House.

"Consideration of this designation shall take precedence over any designation by any other party."

A very long list there, unfortunately.

Second, the subcommittee met as before "to consider a report to the committee on the following matter designated by Mr Sorbara for consideration by the committee:

"The current status of the Ministry of the Attorney General's court backlog strategy announced on 21 November 1990 and the impact of the decision of the Supreme Court of Canada in *Elijah Anton Askov et al v Her Majes-*

*ty the Queen*, 18 October 1990 as it is presently being applied in the Ontario Court of Justice (Provincial Division).

"This issue is to be considered for a period of 12 hours.

"The following list of witnesses is to be invited by the clerk of the committee to appear before it at public hearings:

"Attorney General of Ontario; Deputy Attorney General, Ministry of the Attorney General; director of policy development division, Ministry of the Attorney General; assistant deputy Attorney General, criminal law division; assistant deputy Attorney General, courts administration; director of the crown law office, criminal division; and other witnesses to be determined by the subcommittee.

"The hearings are to commence during the break period between the new year and the spring sitting of the House.

"Consideration of this designation shall follow the designation by the third party and shall precede the designation by the government."

Report of the subcommittee, three: As before, the subcommittee met "to consider a report to the committee on the following matter designated by Mr Winninger (for Mr Morrow) for consideration by the committee:

"The mandate, administration and procedures of the support and custody enforcement branch.

"This issue is to be considered for a period of 12 hours.

"The following list of witnesses is to be invited by the clerk of the committee to appear before it at public hearings:

"Susan Cullen, director of SCOE; Susan Himel, director of legal services, SCOE; Paul Slan, chair, family law section, Canadian Bar Association; representative, Barbra Schlifer Commemorative Clinic; representative, In Search of Justice; representative, National Association of Women and the Law; representative, Ontario Association of Interval and Transition Houses; and other witnesses to be determined by the subcommittee.

"The hearings are to commence during the break period between the new year and the spring sitting of the House.

"Consideration of this designation shall follow the designations by the official opposition and the third party."

It is to be noted that the lists are not in order of priority and, as well, are not all-inclusive. Other witnesses can be called and could assume a greater precedence in terms of the order of priorities here.

This report is deemed to be adopted. Is there any discussion of the report? Hearing none, it is adopted and we can move on to the budget.

You have before you the budget summary for the standing committee 1990-91 fiscal year, which includes a



fairly barebones listing. Is there any discussion on the budget?

**Mr Fletcher:** I was just wondering about two things. One is the advertising of public hearings, \$20,000. Is that the advertising that goes into every newspaper in a jurisdiction where there is going to be a hearing, or is that advertising that goes throughout Ontario?

**The Chair:** My understanding is that that advertising part of the budget may not be necessary.

**Clerk of the Committee:** Actually, this advertising is for any bill that might get referred to committee. Advertising ranges from \$7,000 to \$20,000, depending on how we advertise. We generally advertise in every daily newspaper across Ontario. Depending on the subject matter, we may advertise in ethnic newspapers and in weekly newspapers. That is why the figure from \$7,000 to \$20,000 per bill is worked into the budget.

**Mr Fletcher:** Thank you. I have one more question, on the last page, sound equipment rental \$800 per day. Is that sound equipment rental when we are on the road or is that sound equipment rental for this room?

**Clerk of the Committee:** That is just a contingency. It is generally in there when we are on the road. We do not pay for equipment here. In case the equipment breaks down in here and we have to frantically go out and get something, we just build it into the budget.

**Mr Fletcher:** So that would be on the road?

**Clerk of the Committee:** Yes.

**Mr Harnick:** Is there provision to amend this budget if we need to later on?

**Clerk of the Committee:** The way it works is that this budget will go before the Board of Internal Economy. If we want to submit a supplementary budget, we then bring that supplementary budget before the Board of Internal Economy at the appropriate time.

**Mr F. Wilson:** My question also has to do with the ability to amend. Are these hard and fast categories or is there any ability to shift from one to the other? For in-

stance, under all advertising for any advertising and printing somehow, or are they hard and fast?

**Clerk of the Committee:** Yes and no is the answer. There is always some shifting we do except for certain categories. Advertising is one of those categories it is difficult to shift, so we would go for a supplementary budget.

**Mr F. Wilson:** Could I call upon your experience to say if there has ever been an opportunity for any committee or this particular committee to go over budget?

**Clerk of the Committee:** Committees do not go over budget. We quickly pass a supplementary budget before that happens.

**Mr Mills:** I would like to think this budget is being prepared through the clerk's experience in previous exercises like this. That is really what your figures are based upon, previous, so really there is not much point in discussing, I do not think.

**Mr Poirier:** Mr Chairman, I presume from seeing this proposed budget that all meetings will be at Queen's Park.

**Clerk of the Committee:** The way this budget works is that we discussed in the subcommittee that for each of the three 12-hour designations we would allow one week of sitting time. That would be 12 hours for witnesses and there may be extra days for sitting. Given that during the recesses we sit only four days a week, that is why there are 12 days. There is no travel at all built into this budget.

**The Chair:** My understanding is that, as it stands presently with the 12-hour hearings, there really would not be an ability to move across the province, because it is too short a time.

**Mr Harnick** moves that the budget be adopted as set out, in the amount of \$125,546.

Motion agreed to.

**The Chair:** My understanding is that, until such time as we have set a schedule and received approval from the House leaders in terms of sitting in the early new year, we will stand adjourned until the call of the Chair.

The committee adjourned at 1551.



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Wininger, David (London South NDP)

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Tuesday 18 December 1990

## Journal des débats (Hansard)

Le mardi 18 décembre 1990

### Standing committee on administration of justice

Organization

### Comité permanent de l'administration de la justice

Organisation



Chair: Drummond White  
Clerk: Lisa Freedman

Président : Drummond White  
Greffier : Lisa Freedman

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# LEGISLATIVE ASSEMBLY OF ONTARIO

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Tuesday 18 December 1990

The committee met at 1600 in room 228.

### ORGANIZATION

**The Chair:** The purpose of our meeting today, obviously, is detailed in the agenda. There are two subcommittee reports. We also have to look at the budget and, of course, the sitting implications of the things we will be hearing. I will read Report of the Subcommittee 1.

"It was agreed that should Bill 17, An Act to amend the Law related to the Enforcement of Support and Custody Orders, be referred to the standing committee on administration of justice, the committee will consider the bill in the following manner:

"(a) The bill will be considered for up to three weeks during the winter recess.

"(b) The committee will conduct public hearings and clause-by-clause consideration of the bill.

"(c) The clerk of the committee will be authorized to place advertisements in all English/French daily papers across Ontario and in French weeklies if time permits.

"(d) The text of the ad will include a brief summary of the bill which will read, 'The principal purpose of the bill is to provide for automatic deduction of support payments from the income of people required to pay support.'

"(e) In addition to members of the public who respond to the ad, the committee will invite the following individuals/groups to appear: the Attorney General, SCOE, family law bar, Ontario Federation of Labour, Canadian Federation of Independent Business, Ontario Chamber of Commerce, Ontario Association of Interval and Transition Houses, Canadian Bankers' Association (or another group that can speak to the administrative aspects of the bill).

"(f) Groups will be afforded 15/30/45 minutes at the discretion of the clerk except for the Attorney General and representatives from SCOE, who will be invited for up to one half-day each.

"(g) The clerk is instructed to draft a new budget for consideration by the committee.

"(h) The clerk will request the presence of ministry staff to monitor the hearings and be available to answer questions.

"(i) Groups who request an appearance before the committee after the deadline has passed will be scheduled as time allows."

Any comments on that report?

**Mr F. Wilson:** One comment on (f), that groups will be afforded 15, 30 or 45 minutes. Am I to deduce from that that the clerk will be setting the hours of same?

**The Chair:** I believe 15 minutes is the regular time for a single individual, 30 minutes for a group and 45 minutes for an umbrella group such as the Ontario Federation of Labour or some other large group which represents several small groups.

**Mr F. Wilson:** And this will be preordained beforehand so we are quite aware of it?

**The Chair:** Yes. Any further questions? Can I entertain a motion to accept this report?

**Mr F. Wilson:** I move that.

**The Chair:** All in favour? Carried.

Motion agreed to.

**The Chair:** Report of the Subcommittee 2—

**Mr F. Wilson:** I move that there be unanimous consent for this, please.

**The Chair:** Any discussion? Would you direct them, please?

**Clerk of the Committee:** What essentially is being asked for is unanimous consent to withdraw the old NDP designation so this new designation can be substituted. In order to withdraw it, unanimous consent of the committee is required.

**The Chair:** And there was all-party agreement of the subcommittee on that point.

**Mr F. Wilson:** I move unanimous consent to withdraw them.

**The Chair:** Thank you. All in favour? Carried unanimously.

Motion agreed to.

**The Chair:** I would like to read Report of the Subcommittee 2.

"The subcommittee met Monday 17 December 1990 pursuant to standing order 123 to consider a report to the committee on the following matter designated by Mr Morrow, pending unanimous consent for withdrawal of the original designation, for consideration by the committee:

"The current status of court reform, and more particularly a consideration of the timing and implementation of phase II reform as it concerns family law jurisdiction.

"This issue is to be considered for a period of 12 hours.

"The list of witnesses will be determined by the subcommittee prior to 18 January 1991.

"The hearings are to commence during the break period between the new year and the spring sitting of the House.

"Consideration of this designation shall follow the designations by the official opposition and the third party.

"This report shall be deemed adopted at the first meeting of the standing committee on administration of justice to be convened in 1991."

**Mr Winninger:** Do you need a motion on this?

**The Chair:** No, it is simply received, and therefore accepted. Any further comments or discussion on that report?



**Mr Carr:** On the second to last point, "Consideration of this designation shall follow the designations by the official opposition and the third party," will that change the order?

**The Chair:** Mr Carr is quite right. The order should be "the third party and the official opposition," as that is the order we accepted at our last meeting. Is that slight amendment acceptable? It seems to be.

**Mr F. Wilson:** That was part of it. The second part is that there are some members here who were not present when the manoeuvre we just performed was explained. Is it appropriate to re-explain why we withdrew the first subcommittee report and read the second?

**Clerk of the Committee:** The three parties designated standing order 123 designations about two weeks ago, and because Bill 17 will probably be referred to this committee, it made the NDP designation redundant. In order for the NDP to withdraw its designation, it required unanimous consent. Also, because this committee cannot receive a report of the subcommittee within the last eight sessional days, that is why we will deem this report adopted in 1991; we cannot deem it adopted today.

**The Chair:** But the designation is for—

**Clerk of the Committee:** The designation is a 1990 designation. A matter is designated at the time the subcommittee meets and comes up with its report. The subcommittee did that yesterday, so it qualifies as a 1990 designation.

**The Chair:** Further discussion? You also have before you a revised budget which speaks to the anticipated hearings in the intersession. I believe, as was indicated, it was unlikely that it would be travel-allotted unless there was a tremendous demand from various regions.

**Mr Poirier:** Which would surprise us, right? We do not expect it? Have you heard anything about it?

**Clerk of the Committee:** When I was going to the subcommittee, Mr Sorbara wanted us to visit two regions outside Toronto, and the cost to move this committee plus the French interpreters is about \$25,000 a day. So we will advertise throughout Ontario, but we may consider paying the expenses to bring witnesses into Toronto. Travel is built into the budget, you will note, because there was a request from the subcommittee to build it in, but that may or may not happen.

**The Chair:** Any further discussion on the budget? Questions?

**Mr Fletcher:** I will move the budget, if you like.

**The Chair:** Mr Fletcher moves adoption of the budget in the amount of \$170,200 and that it be presented to the Board of Internal Economy.

All in favour of the budget as proposed?

Motion agreed to.

**Mr Mills:** When are we going to establish the dates we are going to be here? Looking ahead, I would like to have some idea of what my schedule is going to be. I just wondered when we are going to make that decision.

**The Chair:** I believe that if these reports are accepted we would be requesting six weeks of meeting time. Traditionally, that is somewhat excessive in the intersession, but I am wondering, Mr Mills, do you have a specific period you are concerned about? Perhaps we could append that concern if we have agreement from others.

**Mr Mills:** I would like to not meet the week preceding the school break to facilitate some sort of vacation.

**The Chair:** So essentially that is not meeting at all in March.

**Mr Mills:** I am not saying that: the week prior to the school break. The school break is the second week, is it not? The 11th. I see, the House is back after that. I suppose that is what I would be seeking, that we not meet after the end of February, but I suppose there is some provision that you can get a substitute to come in for you. I just want to know the dates. I am not asking this committee to work around my schedule, but if I knew the dates, then I could arrange perhaps with other people.

**Mr Fletcher:** On the same point, if we could have the information well in advance.

**Clerk of the Committee:** Following tradition, you will probably get the information Thursday afternoon. There has to be a motion in the House. The motion is yet to be drafted and yet to be on the order paper, and until it is actually passed in the House it changes moment by moment.

**The Chair:** Somewhat at the discretion, I understand, of the House leader. But at the moment we are looking at the month of February as meeting times, not March. Hopefully, that would remain the time. I doubt that we would be sitting for much more than three weeks in toto.

**Mr Poirier:** You doubt that we will be sitting more than three weeks in the winter recess in toto.

**The Chair:** I understand that is the general experience.

**Clerk of the Committee:** We have asked for three weeks, one week for each of the standing order designations, and will just ask, if it has been passed by the committee, for an additional three weeks for SCOE, which is six weeks. Chances are we will not receive six weeks. Just so the committee knows, public bills take precedence over standing order 123 designations.

**Mr Poirier:** I will be gone on parliamentary business from 30 January to 13 February, but I will have a replacement.

**The Chair:** Any further business? Hearing none, I move that we adjourn, until February undoubtedly.

The committee adjourned at 1613.

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